

AFFIDAVIT OF SPECIAL AGENT ROBERT J.E. BLACKMORE

I, Robert J.E. Blackmore, hereby depose and state as follows:

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") assigned to the Boston Division, and have been so employed for approximately the last five years. My current assignment is to the Cyber Crimes Squad of the Boston Division. I have received specialized FBI training in both the investigation of computer and computer-related crimes and crimes involving the sexual exploitation of children. As a member of the Cyber Crimes Squad, my responsibilities include the investigation of various criminal offenses, including the investigation of crimes involving the sexual exploitation of children. I have participated in several investigations that have involved images of child pornography. While employed by the FBI, I have also participated in several investigations in which I have collected evidence in an electronic form.

2. I make this affidavit in support of a criminal complaint and arrest warrant for Robert Cloutier ("Cloutier"), of 7 Harold Street, Arlington, Massachusetts, charging him with transporting and distributing child pornography, in violation of 18 U.S.C. §§2252(a)(1) and (2).

3. As is set forth below, I believe probable cause exists to conclude that there is probable cause that Cloutier has

committed violations of Title 18, United States Code, Section 2252(a)(1) (Transportation of Child Pornography), Title 18, United States Code and Section 2252(a)(2) (Distribution of Child Pornography).

4. The information in this affidavit is based on an investigation conducted by myself, other Special Agents of the FBI, and other law enforcement officers. This affidavit does not contain every fact known to me with respect to this investigation. Rather, it contains those facts that I believe to be necessary to establish the requisite probable cause to support a criminal complaint and arrest warrant.

5. For purposes of this affidavit, any individual below the age of 18 will be referred to as a "child" or "minor," and any visual depiction of a child or minor engaging in "sexually explicit conduct," as defined in Section 2256, will be referred to as "child pornography."

SUMMARY OF INVESTIGATION

6. On May 12, 2003, while acting in an undercover capacity, SA Steven Forrest ("SA Forrest"), FBI Buffalo, New York, Division, entered the America Online ("AOL") chatroom titled "WYXXXXXXX." While in the chat room titled WYXXXXXXX, SA Forrest observed that an individual using the AOL screen name "Clouts66669," sent a message to the room that stated "anyone wanna trade im me." At approximately 9:53 am (EDT), SA Forrest,

using the undercover screen name "Vidjunkeee," initiated an Instant Message ("IM") session with Clouts66669 during which SA Forrest and Clouts66669 discussed trading images of children engaging in sexual activity. During the IM session with Clouts66669, this individual sent SA Forrest fourteen (14) e-mails, each with one (1) attached image. The following is a description of four (4) of the e-mails and attached images received by SA Forrest:

- a. At approximately 10:11 am (EDT), SA Forrest received an e-mail from Clouts66669. The attached image was titled and is described as follows:
001_-%20%20%20%20%20%20%.jpg depicts a prepubescent girl with brown hair in a bathtub with her mouth open and tongue sticking out. There is a penis near the girl's mouth.
- b. At approximately 10:16 am (EDT), SA Forrest received an e-mail from Clouts66669. The attached image was titled and is described as follows:
001_!!!!NICESUCK.jpg depicts a prepubescent girl with her pants down. The prepubescent girl appears to be performing oral sex on an adult male standing in front of her.
- c. At approximately 10:18 am (EDT), SA Forrest received an e-mail from Clouts66669. The attached image was

titled and is described as follows:

001_\$6SPRD.jpg is a series of four images of a nude prepubescent girl in both standing and lying positions exposing her genitals.

d. At approximately 10:20 am (EDT), SA Forrest received an e-mail from Clouts66669. The attached image was titled and is described as follows:

001_R@YGOLD-STYLE_%20CLOSE.jpg depicts a minor girl lying down with her legs open exposing her genitals.

7. On May 19, 2003, an administrative subpoena was served upon AOL for detailed subscriber information for the AOL screen name Clouts66669. In response, AOL provided information that the account for this screen name was billed to Robert Cloutier, 7 Harold Street, Arlington, Massachusetts, telephone number (781) 641-9581. Additional information provided by AOL showed that Cloutier had been an AOL member since August 28, 1998 and that the account was currently active.

8. On June 16, 2003, SA Forrest, while acting in an undercover capacity, entered an AOL chatroom titled "littleschoolgirL." While in the AOL chat room titled littleschoolgirL, SA Forrest observed that an individual using the AOL screen name Clouts66669 sent a message to the room that stated "32/m/ma/pic any young girls wanna trade or chat im me anyone wanna trade im me." At approximately 3:19 pm (EDT), SA

Forrest, using the undercover screen name "Ibrox36", initiated an IM session with Clouts66669 by asking "do u have vids of under12" to which CLOUTS66669 stated "yeah." Thereafter, SA Forrest and Clouts66669 discussed trading images of children engaging in sexual activity. SA Forrest then received the following e-mails, with attachments:

- a. At approximately 3:31 pm (EDT), SA Forrest received an e-mail from Clouts66669 with a video file attached titled "Childlover_little_Collection_Video_0060.zip." This video is approximately twenty-seven (27) seconds in length and depicts in the first portion of the video a minor girl (age unknown) with her genitalia exposed and in the second portion a minor female (age unknown) performing oral sex on an adult male.
- b. At approximately 3:38 pm (EDT), SA Forrest received a second email from Clouts66669 with an attached video titled "Underage - Fuck 2.mpg." This video is approximately one minute and seven seconds in length and depicts an adult male engaging in sexual intercourse with a prepubescent girl.

9. On June 20, 2003, SA Forrest, while acting in an

undercover capacity, logged onto AOL. While logged onto AOL, SA Forrest - posing as a fourteen (14) year old girl and using the undercover screen name "swtcarly89," engaged in an IM session with an individual using the AOL screen name Clouts66669. During the online session Clouts66669 sent SA Forrest an e-mail with an attached image that Clouts66669 claimed was a picture of himself. The picture was of a white male wearing glasses, and is pictured from the waist up. During the IM session with Clouts66669, SA Forrest sent an email to Clouts66669 with an attached image of a clothed female. SA Forrest advised Clouts66669 that this was a picture of the 14 year old girl he was posing as, Swtcarly89. Clouts66669 advised SA Forrest that his name was Rob and that he lived near Boston, Massachusetts.

10. On July 8, 2003, SA Forrest, while acting in an undercover capacity, and using the screen name swtcarly89, logged onto AOL. While logged onto AOL, SA Forrest - posing as a fourteen (14) year old girl, engaged in an IM session with an individual using the AOL screen name Clouts66669. During the IM session with this individual, Clouts66669 provided SA Forrest with a cellular telephone number of 781-640-8869.

11. On July 11, 2003, SA Forrest, while acting in an undercover capacity, logged onto AOL. While logged onto AOL, SA Forrest - posing as a fourteen (14) year old female, and using the screen name swtcarly89, engaged in an IM session with an

individual using the AOL screen name Clouts66669. During the IM session with this individual, Clouts66669 sent SA Forrest four (4) e-mails with attached images. One (1) of these e-mails with its attached image was received at approximately 10:52 am (EDT). Clouts66669 advised that the image was a photograph of him.

12. On January 27, 2004, while acting in an undercover capacity, SA Forrest logged onto AOL . While logged onto AOL, SA Forrest - posing as a fourteen (14) year old female, and using the screen name swtcarly89, observed that the AOL screen name Clouts66669 was also signed online. At approximately 9:22 am (EST), SA Forrest initiated an IM session with this individual. During the IM session Clouts66669 sent SA Forrest five (5) e-mails, all of which had pictures and/or videos attached. The following is a description of the e-mails and images received by SA Forrest:

a. At approximately 9:47 am (EST), SA Forrest received an e-mail from Clouts66669 that had five (5) images attached to it. Three of these images were titled and are described as follows:

1. 001_nudback3.jpg depicts a nude prepubescent girl with blonde hair squatting down with her legs open and genitals displayed.
2. 002_nudback2.jpg depicts a nude prepubescent girl with blonde hair lying on a bed with

her legs open and genitals displayed.

3. 003_12yo.jpg depicts a nude prepubescent girl with dark hair standing with hands on hips displaying her breasts and genitals.

Located at the top of the image is the text "Exclusive lolitas series:

<http://lolitave.com>.

b. At approximately 9:50 am (EST), SA Forrest received an e-mail from Clouts66669 that had five (5) images attached to it. Two of these images were titled and are described as follows:

1. 003_show101%20(1).jpg depicts five (5) prepubescent children, both boys and girls, in various states of nudity touching their genitals.

2. 004_kids-sexo.8.jpg depicts a minor girl with blonde hair and legs spread sitting on a male. The young female is being vaginally penetrated by the male's penis.

c. At approximately 9:52 am (EST), SA Forrest received an e-mail from Clouts66669 which had five (5) images attached to it. All of these images depict young girls in the nude. One of these images was titled and is described as follows:

1. 004_tjdtth.jpg depicts a minor girl with brown hair lying on a bed with her legs open and genitals displayed.
- d. At approximately 10:09 am (EST), SA Forrest received an e-mail from Clouts66669 that had an attached video file titled "-leg-lift_fk.mpg." This video is seventeen (17) seconds in length and depicts an adult male vaginally penetrating a prepubescent girl. During the IM session Clouts66669 stated in regard to this video "i think she is about 8 or 9 could be young been a while since I've seen it".
- e. At approximately 10:50 am (EST), SA Forrest received an e-mail from Clouts66669 which had an attached video file titled "alicia_complete 16min 42sec.wmv." This video is approximately 16:42 minutes in length and depicts a prepubescent girl performing oral sex on an adult male. The video later shows an adult male wearing a black hood on his head performing oral sex and vaginally penetrating the prepubescent girl. In regard to this video Clouts66669 stated "i think she is about 9-11 not completely sure i have younger but this was the first one i saw."

At the end of the IM session with Clouts66669 this individual provided SA Forrest with a telephone number 781-640-8869 and

asked swtcarly89 to call him sometime.

13. Based on my training and experience I know that the Internet is a collection of interconnected networks of computers and that computers connected to the Internet use the Internet Protocol (IP) addressing system for inter-computer communications. I know that an IP address is a unique address assigned to a computer. No two machines on the Internet can have the same IP address at the same time.

14. On January 30, 2004, SA Forrest served an administrative subpoena upon AOL for detailed subscriber information for the AOL screen name Clouts66669 and Internet Protocol (IP) address log data for January 27, 2004 at 10:09 am (EST). In response AOL provided information that the account for this screen name was billed to Robert Cloutier, 7 Harold Street, Arlington, Massachusetts, telephone number (718) 641-9581. AOL advised that on January 28, 2004 at 10:09 am (EST), the account Clouts66669 was accessed from IP address 24.131.150.50 and that this IP address is registered to Comcast Cable Communications ("Comcast").

15. On February 18, 2004, SA Forrest served an administrative subpoena upon Comcast for subscriber information for the account that was used to access IP address 24.131.150.50 on January 28, 2004 at 10:09 am (EST). In response Comcast advised that on the date and time requested IP address

24.131.150.50 by the account subscribed to by Theresa Cloutier, 7 Harold Street, Arlington, Massachusetts, telephone number (718) 648-7134.

16. After receiving the information from Comcast, SA Forrest found that AOL had provided IP address information for January 28, 2004, not January 27, 2004, as was requested in the administrative subpoena. SA Forrest contacted AOL regarding this error and was provided information that the same IP address, 24.131.150.50, had been used to access the account CLOUTS66669 on both January 27, 2004 and January 28, 2004. SA Forrest subsequently contacted Comcast regarding this error and was informed that IP address 24.131.150.50 had been assigned to the same account (Theresa Cloutier, 7 Harold Street, Arlington, Massachusetts) since at least January 23, 2004, including the period of January 27, 2004.

17. On February 23, 2004, I obtained a driver's license image of Robert J. Cloutier from the Massachusetts Registry of Motor Vehicles. Additional information from this image provided Cloutier's date of birth has being July 31, 1970 and a residential address of 7 Harold Street, Arlington, Massachusetts. I compared the driver's license image to the two images sent by Clouts66669 to SA Forrest on June 20, 2003, and July 11, 2003, where Clouts66669 claimed the images were of himself. Based on this comparison, I believe the person depicted in the driver's

license image to be the same person that is in the images sent to SA Forrest.

18. On February 24, 2004, SA Forrest, while acting in an undercover capacity, logged onto AOL. While logged onto AOL, SA Forrest - posing as a fourteen (14) year old girl, and using the screen name `swtcarly89`, engaged in an IM session with an individual using the AOL screen name `Clouts66669`. During the IM session with this individual, `Clouts66669` sent SA Forrest three (3) e-mails with attached video files. Two of these video files are described as follows:

- a. At approximately 9:42 am (EST) SA Forrest received an e-mail from `Clouts66669` with an attached video file titled "`TOTAL ILEAGAL PEDO.mpg`." This video depicts a prepubescent girl being vaginally penetrated by an adult male. This video later shows two minor boys and a minor girl performing oral sex on each other. During the IM session with `Clouts66669`, SA Forrest asked `Clouts66669` what "Pedo" meant. `Clouts66669` responded that "it's someone who goes after young."
- b. At approximately 10:30 am (EST) SA Forrest received an e-mail from `Clouts66669` with an attached video file titled "`Incest-daddy`

daughter(1).mpg." This video depicts an adult male engaging in sexual activity with a minor girl.

19. On February 23, 2004, I sent all of the images sent by Clouts66669 to SA Forrest to the FBI's Innocent Images Task Force for comparison to the Child Victim Identification Program ("CVIP") and the Child Exploitation and Obscenity Reference File ("CEORF"). These comparisons were requested in order to determine if the images of child pornography sent to SA Forrest matched any known child victims or known images of child pornography. FBI Investigative Assistant (IA) Frances T. Bianco made the requested comparisons and found three (3) images with positive results from the CVIP. The three positive results are described as follows:

- a. 001_-%20%20%20%20%20%20%.jpg (see paragraph 6.a) is part of the Amanda series. The images in the Amanda series were discovered during the Bureau of Immigration and Customs Enforcement Operation Hamlet. The children identified during this investigation were sexually abused by their legal guardians and/or parents.
- b. 001_\$6SPRD.jpg (see paragraph 6.c) is part of the Jun series. In the Jun series the abuser victimized his niece. The images in this series

were sent across the Internet. These images were discovered during an investigation conducted by the Florida Department of Law Enforcement.

c. The image titled 001_nudback2.jpg (see paragraph 12.a.2) is part of the Sara series. Over a two year period, the victim's birth father, James Hornack, forced his daughter to masturbate him and he performed oral sex on her. Hornack took photographs of these acts, and others, and transmitted them to unknown individuals via the Internet. This investigation was conducted by the Parma, Ohio, Police Department.

20. Based, in part, on the above information, a search warrant was obtained on March 29, 2004, from the United States District Court for the District of Massachusetts, authorizing the search of Cloutier's residence at 7 Harold Street, Arlington, Massachusetts. The warrant authorized the search for and seizure of, among other items, computer systems, computer storage media, and depictions of child pornography.

21. On April 1, 2004, I and fellow FBI agents and other law enforcement officers executed the search warrant at Cloutier's residence. Cloutier was present during the search and agreed to be interviewed. Among the items seized pursuant to the search

warrant were two computers and various computer media.

22. During the interview, Cloutier told me that he used the AOL screen names Clouts66669, RC7317069, R69BOO, and BOOBEER69, and the Yahoo! screen name R69BOO2000 to trade images of child pornography via e-mail. Cloutier told me that he received images of child pornography from persons he met in AOL chat rooms, including "littleschoolgir1," "WYXXXXXXX," and "youngerisbetter." Cloutier also stated that child pornography would be found in his Yahoo! "briefcase" under the screen name R69BOO2000. Cloutier stated that he had been collecting and trading child pornography via the Internet for the last few years. Cloutier also told me that he had known for about the last year that it was illegal to possess and download child pornography.

23. Cloutier told me that he also received child pornography over the Internet by using the file sharing program Kazaa Lite. Cloutier also used this the Kazaa Lite program to download music and teenage pornographic stories. Cloutier told me that these stories were of men having sex with young girls and that he used these stories to sexually gratify himself.

24. Cloutier told me that he was sexually attracted to girls between 1 - 15 years old.

25. Cloutier told me that he had e-mailed child pornography to other persons at least 100 times. Cloutier stated that the images he sent to others came from images found on his computer's

hard drive. Cloutier estimated that approximately 75% of the pornography on his computer was child pornographic in nature.

26. Cloutier told me that he did e-mail images of child pornography to at least three persons that he believed to be minor females. Cloutier identified one of these minor females by the screen name "sweetcarly" who he believed to be between 13 - 15 years old.

27. A digital forensic examination of the computers and computer related items seized pursuant to the search warrant was performed by FBI CART Certified Forensic Examiner Yohel Diaz. I reviewed the results obtained from this forensic examination and found what I believe to be approximately 550 pornographic images. Based on my training and experience I believe approximately 270 of these images to be child pornographic in nature.

28. On September 22, 2004, I sent the images, that appeared to be child pornographic in nature, that I obtained from the digital forensic examination of the computers and computer related items to the FBI's Innocent Images Task Force for comparison to the CVIP and CEORF. The comparisons were requested in order to determine if the images of child pornography on Cloutier's computer system matched any known child victims or images of child pornography. FBI Investigative Assistant ("IA") Monica Ma made the requested comparisons. Positive results from the CVIP and the CEORF.

29. Among the positive CVIP results were the following images/videos:

- a. - (spaces) facialcum[29].jpg. This image is visually identical to the image titled 001_-%20%20%20%20%20%20%.jpg (described in paragraph 6.a above) and is part of the Amanda series (paragraph 19.a above). This image was located on a zip disc found in Cloutier's residence.
- b. 6yr. old little vicky getting her cherry popped.mpg - Video approximately 46 seconds long depicting a naked prepubescent girl lying down and being vaginally penetrated. The video goes on to depict the girl sitting on the lap of an adult male and being vaginally penetrated by the male's penis. This video is from the Baby J series. This video was found on Cloutier's computer in the path oldcdrive\Documents and Settings\rcloutier\My Documents\.
- c. BabyJ-Lick.mpg - Video approximately 27 seconds long depicting a prepubescent girl performing oral sex on an adult male. This video is from the Baby J series. This video was found on Cloutier's computer in the path oldcdrive\

Documents and Settings\rcloutier\My Documents\.

d. - (Spaces) leg-lift_fk.mpg - Video approximately 17 seconds long depicting a naked prepubescent girl being vaginally penetrated by an adult male. This video is from the Baby J series. This video was found on Cloutier's computer in the path oldcdrive\Documents and Settings\rcloutier\My Documents\. I compared the contents of this video to the video described in paragraph 15. d. above and found them to be visually identical.

e. BabyJ-Cum.mpg - Video approximately 1 minute six seconds long depicting a naked prepubescent girl lying down with an adult male performing oral sex on the girl. The video goes on to show the adult male vaginally penetrating the girl with his penis and then ejaculating on the girl's vagina. This video is from the Baby J series. This video was found on Cloutier's computer in the path My Shared Folder\.

The images/videos in the Baby J series depict a girl between four and six years of age engaged in sexual activity with her father. The father pleaded guilty to child molestation charges in Georgia and was sentenced to 30 years incarceration. The investigation

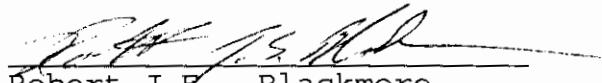
was conducted by the FBI's Atlanta, Georgia, Division.

30. On April 20, 2005, I further reviewed the results of the forensic exam and found an image titled Carly.jpg in the path "oldcdrive\Documents and Settings\rcloutier\My Documents\My Pictures\Carly.jpg."

31. On May 11, 2005, SA Forrest provided me with the image that he, while acting in an undercover capacity and posing as a 14 year old girl, had e-mailed to Clouts66669 on June 20, 2003, (see paragraph 9 above) and which SA Forrest told Clouts66669 that this was a picture of the 14 year old girl he was posing as. I compared this image to the image Carly.jpg (described in paragraph 30) and found them to be visually identical.

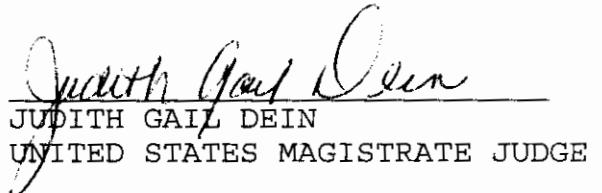
32. Based on the foregoing, I believe there is probable cause to conclude that Robert Cloutier, residing at 7 Harold Street, Arlington, Massachusetts, has committed violations of Title 18, United States Code, Section 2252 (a)(1) (Transportation

of Child Pornography) and Title 18, United States Code, Section 2252 (a) (2) (Distribution of Child Pornography) .



Robert J.E. Blackmore
Special Agent,
Federal Bureau of Investigation

Sworn and subscribed to before me this 25th day of August,
2005.



JUDITH GAIL DEIN
UNITED STATES MAGISTRATE JUDGE